



# The Gazette of India

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## NOTICE

The undermentioned Gazette of India Extraordinary was published during the week ending the 17th October 1949 :—

| S. No. | No. and date                                     | Issued by           | Subject  |
|--------|--|---------------------|--|
| 1      | Nos. 122/E.—127/E., dated the 17th October 1949. | Ministry of Defence | Amendments to the Schedule in the Civilians in Defence Services (Revision of Pay) Rules, 1947. |

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

## PART I—Section 3

## Government of India, Ministry of Defence, Notifications relating to Rules, Regulations, Orders and Resolutions, etc.

## MINISTRY OF DEFENCE

New Delhi, the 22nd October 1949

**No. 1791.**—In exercise of the powers conferred by section 4 of the National Cadet Corps Act, 1948 (XXXI of 1948), the Central Government is pleased to disband from 7th Oct. 1949, the following units of the National Cadet Corps which are constituted under Min of Def Notn No 980, dated 4th June 1949:—

## II—ARTILLERY UNITS

5th U.P. Battery, NCC; U.P.

## IV—SIGNAL UNITS

6th U.P. Signal Section, NCC; U.P.

## V—ELECTRICAL AND MECHANICAL UNITS

3rd U.P. EME Unit, NCC; U.P.

## CANTONMENTS—REGULATIONS

**No. 1792.**—The following bye-laws for regulating the control of thelas, country carts and hand carts plying for hire in the Ambala Cantonment made by the Cantonment Board, Ambala, in exercise of the powers conferred by clauses (25), (26) and (27) of section 282 and section 283 of the Cantonments Act, 1924 (II of 1924), and in supersession of the bye-laws published with the notification of the late Government of Punjab, No. 662, dated the 14th November 1908, are hereby published for general information, the same having been previously published, approved and confirmed by the Central Government as

required by sub-section (1) of section 284 of the said Act, namely:—

*Bye-laws regulating the control of thelas, country carts, or hand carts plying for hire in Ambala Cantt*

1. No person shall keep for hire or cause to ply for hire within the limits of Ambala Cantonment, any thela, country cart or hand cart except under a license granted in this behalf by the Cantonment Board, Ambala

2 A license to keep for hire or to cause to ply for hire any such vehicle shall be issued by the Executive Officer on payment of the fees specified in bye-law 5 and shall be granted on the conditions detailed in bye-law 10, provided that the Executive Officer shall not issue a license in respect of any such vehicle unless he approves the vehicle and animal or animals, if any, to be used in drawing it as complying with the following conditions:—

- (a) that the vehicle is in good order and all its parts are in a sound condition,
- (b) that the vehicle is provided with suitable lamps in good condition;
- (c) that the animal or animals to be used in drawing it, is/are in good condition and fit for, and thoroughly broken to the work required of it or them and free from sores and not under three years of age and not under 8 hands; provided further that an animal may under 3 years of age or under 8 hands be passed by the Executive Officer if in his opinion it is strong and equal to the draught to be required of it.

3. (a) Any person desiring to take out a license shall produce his thela, country cart along with the animal or animals, or hand cart for inspection by the Executive Officer or of any such person as may be appointed by him in this behalf at such time or place as he may direct.

(b) The Executive Officer may grant the license applied for or may refuse to grant it and shall record the reasons for his refusal.

(c) An appeal may be preferred to the Cantonment Board, Ambala, within seven days from the order of the Executive Officer, passed under bye-law 9(b) refusing a license.

4. For the purpose of licenses, the vehicles shall be divided into the following classes:—

*Class (A).*—Thelas and country carts fitted with wheels carrying iron tyres or pneumatic tyres or solid rubber tyres

*Class (B).*—Thelas or country carts fitted with country made wheels without tyres.

*Class (C).*—Hand Carts

5. The following fees shall be paid for licenses under bye-law 2, in respect of the various classes of vehicles mentioned below:—

| Yearly                            | Half yearly | Quarterly | Monthly |
|-----------------------------------|-------------|-----------|---------|
| <i>Class 'A'</i>                  |             |           |         |
| Drawn by 1 bullock . . .          | 24 0 0      | 12 0 0    | 7 0 0   |
| Drawn by 2 or more bullocks.      | 32 0 0      | 16 0 0    | 9 0 0   |
| <i>Class 'B'</i>                  |             |           |         |
| Drawn by 1 bullock . . .          | 12 0 0      | 6 0 0     | 4 0 0   |
| Drawn by 2 or more bullocks.      | 16 0 0      | 8 0 0     | 5 0 0   |
| <i>Class 'C'</i>                  |             |           |         |
| with 4 wheels . . .               | 8 0 0       | 4 0 0     | 2 8 0   |
| Drawn by men. with 3 wheels . . . | 4 0 0       | 2 0 0     | 1 8 0   |
| with 2 wheels . . .               | 4 0 0       | 2 0 0     | 1 8 0   |

Provided that all carts fitted with pneumatic tyres or solid rubber tyres will be granted a reduction of 25 per cent. in the aforesaid fees.

6. At the time the license is granted, the licensee shall obtain a metal plate on payment of a fee as may be prescribed by the Cantonment Board, Ambala, showing:—

- (1) the number of the thela, country cart or hand cart in the register of licenses;
- (2) the name of the licensee;
- (3) the period for which the license is granted; and
- (4) the maximum load permissible.

7. The licensee shall cause the metal plate obtained under the proceeding bye-law to be affixed to such vehicle in a conspicuous place and shall not permit such vehicle to ply for hire unless the metal plate has been affixed to it, and keep the metal plate in good order.

8. (i) The maximum load to be carried by any such vehicle shall be as follows:—

#### Maunds

|  |    |
|--|----|
| 1. For thela or country cart drawn by 2 or more bullocks . . . | 35 |
| 2. For thela or country cart drawn by 1 bullock . . .          | 18 |
| 3. For a hand cart with 4 wheels . . .                         | 16 |
| 4. For a hand cart with 3 wheels . . .                         | 12 |
| 5. For a hand cart with 2 wheels . . .                         | 10 |

(ii) For the purpose of calculating the weights of the loads every adult shall be considered to weigh  $1\frac{1}{2}$  maunds and every child under 12 years of age to weigh 30 seers no account being taken of children under 3 years of age.

9. The maximum fares to be charged for the hire of vehicles shall be as follows:—

|   | Thela or country carts |                    | Hand Carts         |                    |                    |
|---|------------------------|--------------------|--------------------|--------------------|--------------------|
|   | Drawn by 2 bullocks    | Drawn by 1 bullock | With 4 wheels      | With 3 wheels      | With 2 wheels      |
| 1. From Railway Station to Sadar, B. I. & B. C. Bazaars, or N.L Lines and vice versa.   | Rs. A. P.<br>4 0 0     | Rs. A. P.<br>2 8 0 | Rs. A. P.<br>0 6 0 | Rs. A. P.<br>0 6 0 | Rs. A. P.<br>0 6 0 |
| 2. From Railway Station to Sadar Bazaar, Kulidip Nagar, R. H. A. Bazaar and N. L Lines and vice versa.  | 6 0 0                  | 4 0 0              | 0 10 0             | 0 10 0             | 0 10 0             |
| 3. From Railway Station to Benarsi Dass Steam flour Mills and vice versa.   | 6 0 0                  | 4 0 0              | 0 6 0              | 0 6 0              | 0 6 0              |
| 4. From Grain Market to Benarsi Dass Mills and vice versa.  | 4 0 0                  | 2 8 0              | 0 6 0              | 0 6 0              | 0 6 0              |
| 5. From Railway Station, Sadar or any of the Cavalry or Infantry Bazaars or Lines in Cantonment to Ambala City.   | 12 0 0                 | 7 0 0              | 1 0 0              | 1 0 0              | 1 0 0              |
| 6. From Sadar to B. I. and B. C. Bazaars or Lines and vice versa  | 4 0 0                  | 2 8 0              | 0 6 0              | 0 6 0              | 0 6 0              |
| 7. Empty thelas or carts engaged in Sadar or at Railway Station for bringing loads from R. H. A. or N.C. Bazaars to Sadar or Railway Station (for both journeys) or vice versa. | 8 0 0                  | 5 0 0              | 0 14 0             | 0 14 0             | 0 14 0             |
| 8. Empty thelas or carts engaged in Cantt. for bringing loads from city or vice versa (for both journeys).  | 18 0 0                 | 10 8 0             | 1 8 0              | 1 8 0              | 1 8 0              |

The licensee shall affix to the licensed vehicle in a conspicuous place the maximum fares to be charged for the hire of such vehicle.

10. Every license issued under bye-law 2, shall be granted subject to the following conditions:—

- (a) that the licensee shall at all times keep such vehicle clean and in good repairs and the lamps complete and in serviceable condition;
- (b) that he shall not permit the licensed vehicle to be drawn by any animal which has not been approved by the Executive Officer;
- (c) that he shall not demand any fare in excess of the maximum fare prescribed in bye-law 9;
- (d) that he shall not carry or permit to be carried in or on the licensed vehicle any person or load in excess of the maximum weight prescribed in bye-law 8;
- (e) that he shall not permit the licensed vehicle to be drawn by any person who has not been licensed as a driver of such vehicle under bye-law 12;

(f) that he shall not, without reasonable cause, refuse to give the licensed vehicle together with the necessary animal or animals and driver, on hire, if offered the authorised rates;

(g) that he shall not carry or permit to be carried in the licensed vehicle any person whom he knows or has reason to believe to be suffering from any infectious or contagious disease, or the corpse of any person whom he knows or has reason to believe to have died of such disease, except with the permission in writing of the Health Officer or the Executive Officer, in which case he shall cause the licensed vehicle to be disinfected to the satisfaction of such officer before the vehicle is again used;

(h) that he shall cause to be deposited at the nearest Police station any property left unclaimed in the licensed vehicle;

(i) that he shall cause the licensed vehicle, together with the animal or animals which draw it, to be produced for inspection whenever required to do so by the Executive Officer;

(j) that he shall, if called upon by the Barrier Staff to do so, stop the licensed vehicle at the Octroi Barrier;

(k) that he shall not use insulting or abusive language or gestures;

(l) that he shall not cruelly beat, ill treat, over drive or in any other manner misuse any animal in a licensed vehicle and shall not drive any animal which has not been approved by the licensing officer or any animal which is lame or has sores or is otherwise unfit for work;

(m) that for a breach of any of these conditions, in addition to any other penalty that may be incurred, the license may be suspended or cancelled by an order in writing of the Executive Officer.

11 No person shall drive any such licensed vehicle for hire except under a license to be granted in this behalf by the Cantonment Board, Ambala

12 A license to drive any such licensed vehicle for hire shall be issued by the Executive Officer to any person not less than 18 years of age applying for such license upto 31st March of every year on payment of a fee of Re 1 which will be valid upto 31st March of the next year and shall be granted subject to the conditions specified in bye-law 18, provided that the Executive Officer may refuse for reasons to be recorded in writing to issue a license to any person, who in his opinion, is unfit to receive such a license.

13 A license to drive a licensed vehicle shall be granted subject to the following conditions:—

(a) that the licensee shall at all times, when driving a licensed vehicle, carry with him his driver's license and shall, on demand, produce it for the inspection of any person hiring such vehicle, or

of any Magistrate or Police Officer or any Member of the Cantonment Board or Officer of the Cantonment Board authorised in this behalf and state his name and residence and the name and residence of the proprietor of the vehicle, if called upon to do so;

(b) that the licensee shall at all times, when driving a licensed vehicle, wear on his left arm a metal badge which shall be furnished to him at the time of issue of the license on payment of a fee prescribed by the Cantonment Board, Ambala;

(c) that the licensee shall at all times drive with due care and caution and shall observe all rules and regulations for the control of traffic which may have been or may be issued by the Police or by the Cantonment Board from time to time;

(d) that he shall not allow any person, riding his vehicle, to drive it;

(e) that he shall not drive the licensed vehicle while in a state of drunkenness or while suffering from any infectious or contagious disease;

(f) that he shall not loiter with a licensed vehicle in any street

14 (i) In every case where the Proprietor of any licensed vehicle transfers such vehicle to another person during the currency of the license, the transfer shall be reported to the Executive Officer, who will on payment of a fee of annas four substitute the name of the transferee for that of the original licensee.

(ii) The original licensee shall, until such transfer is reported and such transferee's name is substituted in the license, be held liable as proprietor of the vehicle for compliance with these bye-laws

15 Any person who commits a breach of any of these bye-laws and every licensee who commits a breach of any of the conditions of his license, shall, on conviction by a Magistrate, be punishable with fine which may extend to 100 rupees and in the case of a continuing contravention, with an additional fine which may extend to twenty rupees for every day during which such contravention continues after conviction for the first such contravention.

[No. 12/31/G/D 8(a)/49].

**No. 1793.—Corrigendum.**—In M of D Notn. No. 1122, dated 2nd July 1949, for "Capt. Bhagat Singh Gaird" read "Capt. Sardul Singh".

[No. 121/11/G/D-8(a)/49].

#### CANTONMENT—TAXATION

**No. 1794.—Corrigendum**—In line eighth of the M. of D. Notn No. 1475, dated 3rd Sep. 1949, for the figures "(19)" read "(14)".

[No. 58/39/G/D 8(a)/49].

**H. M. PATEL,** Secy.

